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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA,
SAN FRANCISCO DIVISION**

MARTIN KAUFMAN, IREATHA DIANE
MITCHELL, ROSEMARY SCHENK, and
LEMUEL SCHENK, individually and on behalf
of all others similarly situated,

Plaintiffs.

vs.

AIR NEW ZEALAND, ALL NIPPON AIRWAYS, CATHAY PACIFIC AIRWAYS, CHINA AIRLINES, EVA AIRLINES, JAPAN AIRLINES INTERNATIONAL, MALAYSIA AIRLINES, NORTHWEST AIRLINES, QANTAS AIRWAYS, SINGAPORE AIR, THAI AIRWAYS, UNITED AIRLINES,

Defendants.

CASE NO. CV-07-6417 (JL)

**STIPULATION RE EXTENSION OF
TIME FOR DEFENDANT THAI
AIRWAYS INTERNATIONAL PUBLIC
COMPANY LIMITED TO
RESPOND TO COMPLAINT**

THE HONORABLE JAMES LARSON

1 WHEREAS the undersigned plaintiffs have filed the above-captioned case;

2 WHEREAS plaintiffs allege antitrust violations by defendant airlines in the sale of
3 passenger air transportation services containing transpacific flight segments;

4 WHEREAS multiple complaints have been filed to date in federal district courts
5 throughout the United States by plaintiffs purporting to bring class actions on behalf of purchasers of
6 passenger air transportation services containing transpacific flight segments (collectively “the
7 Transpacific Air Passenger cases”);

8 WHEREAS, a motion is pending before the Judicial Panel on Multidistrict Litigation
9 to transfer the Transpacific Air Passenger cases to this jurisdiction for coordinated and consolidated
10 pretrial proceedings pursuant to 28 U.S.C. Section 1407;

11 WHEREAS plaintiffs anticipate the possibility of filing a Consolidated Amended
12 Complaint in the Transpacific Air Passenger cases;

13 WHEREAS plaintiffs and Thai Airways International Public Company Limited have
14 agreed that an orderly schedule for any response to the pleadings in the Transpacific Air Passenger
15 cases would be more efficient for the parties and for the Court;

16 PURSUANT TO LOCAL RULE 6-1(a), PLAINTIFFS AND DEFENDANT THAI
17 AIRWAYS INTERNATIONAL PUBLIC COMPANY LIMITED, BY AND THROUGH THEIR
18 RESPECTIVE COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

19 1. The deadline for Thai Airways International Public Company Limited to
20 answer, move, or otherwise respond to plaintiffs’ Complaint shall be extended until forty-five days
21 after the filing of a Consolidated Amended Complaint in the Transpacific Air Passenger cases, or
22 such other times as the parties may jointly agree to in writing.

23 2. This Stipulation does not constitute a waiver by Thai Airways International
24 Public Company Limited of any defense, including but not limited to the defenses of lack of
25 personal jurisdiction, subject matter jurisdiction, improper venue, sufficiency of process or service of
26 process.

1 IT IS SO STIPULATED.

2 DATED: January 24, 2008

by

3 /s/ Lauren C. Russell

4 Mario N. Alioto

5 Lauren C. Russell

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7 LLP**

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10
11 *Attorneys for Plaintiffs Martin Kaufman, Ireatha
12 Diane Mitchell, Rosemary Schenk, and Lemuel
13 Schenk*

14 DATED: January 24, 2008

15 /s/ Rowan D. Wilson (by permission)

16 Rowan D. Wilson

17 CRAVATH, SWAINE & MOORE LLP

18 825 Eighth Avenue

19 New York, NY 10019

20 Telephone: (212) 474-1000

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22
23 *Attorney for Defendant Thai Airways
24 International Company Limited*

1 **CERTIFICATE OF SERVICE**

2 The undersigned certifies that on this 24th day of September 2008, the foregoing Stipulation
3 Re: Extension of Time for Defendant Thai Airways International Public Company Limited to
4 Respond to Complaint was electronically filed and served on all parties via ECF, and is available for
5 viewing and downloading from the ECF system.

6 _____
7 /s/ Lauren C. Russell
8 Lauren C. Russell